

Panaji, 26th March, 1993 (Chaitra 5, 1915)

SERIES I No. 52

OFFICIAL GAZETTE



GOVERNMENT OF GOA

NOTE: There is one Extraordinary issue to the Official Gazette, Series I, No. 51, dated 18-3-93 with the same date from pages 419 to 420, regarding Notification from Law (Establishment) Department (Office of Chief Electoral Officer).

GOVERNMENT OF GOA

Law (Legal and Legislative Affairs) Department

Notification

10-2-92/LA

The Himachal Pradesh Electricity (Duty) Amendment Ordinance, 1993 (No. 15 of 1993) which has been promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section I, dated 25-1-1993, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 26th February, 1993.

MINISTRY OF LAW, JUSTICE AND
COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 25th January, 1993/
Magha 5, 1914 (Saka)

The Himachal Pradesh Electricity (Duty)
Amendment Ordinance, 1993

No. 15 of 1993

Promulgated by the President in the Forty-third
Year of the Republic of India

An Ordinance further to amend the Himachal Pradesh
Electricity (Duty) Act, 1975

Whereas by a Proclamation issued on the 15th day of December, 1992 by the President under article 356 of the Constitution, the powers of the Legislature of the State of Himachal Pradesh have been declared to be exercisable by or under the authority of Parliament:

And whereas the Himachal Pradesh Electricity (Duty) (Second Amendment) Ordinance, 1992 to provide for the aforesaid matters was promulgated by the Governor on the 3rd August, 1992:

And whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore in exercise of the powers conferred by clause (1) of article 123 of the Constitution and of all other powers enabling him in that behalf, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Himachal Pradesh Electricity (Duty) Amendment Ordinance, 1993.

(2) It shall come into force at once.

2. *Amendment of section 3.*—For sub-section (1) of section 3 of the Himachal Pradesh Electricity (Duty) Act, 1975 (hereinafter referred to as the principal Act), the following sub-section shall be substituted, namely:— H. P. Act 11
of 1975

“(1) There shall be levied and paid to the State Government on the energy consumed a duty to be called the “Electricity Duty” in the prescribed manner and computed at the following rates:—

(i) in case of domestic consumers at the rate of 5 paise per unit; and

(ii) in case of other category of consumers at the rate of 10 paise per unit:

Provided that if the energy is partly used for category (i) and partly for category (ii) above, the highest rate of duty applicable will be levied”.

3. *Insertion of new section 11 A.*—After section 11 of the principal Act, the following section shall be inserted, namely:—

“11A. *Power to exempt.*—The State Government may in public interest by notification exempt any consumer or person from the payment of the whole or part of the Electricity Duty for such period and subject to such terms and conditions as may be specified in such notification.”.

4. *Repeal and saving.*—(1) The Himachal Pradesh Electricity (Duty) (Second Amendment) Ordinance, 1992 is hereby repealed. H. P. Ord. 2
of 1992.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the Ordinance referred to in sub-section (1)

shall be deemed to have been done or taken as the case may be, under the principal Act as amended by this Ordinance.

SHANKER DAYAL SHARMA,
President.

K. L. MOHANPURIA,
Secy. to the Government of India.

Notification

10-2-92/LA

The Destructive Insects and Pests (Amendment and Validation) Act, 1992 (Central Act 12 of 1992) which has been passed by Parliament and assented to by the President of India on 31-3-1992 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 31-3-1992, is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 10th August, 1992.

The Destructive Insects and Pests (Amendment and Validation) Act, 1992

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ACT

further to amend the Destructive Insects and Pests Act, 1914.

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

1. *Short title and commencement.* — (1) This Act may be called the Destructive Insects and Pests (Amendment and Validation) Act, 1992.

(2) It shall be deemed to have come into force on the 27th day of October, 1989.

2. *Amendment of section 3 of Act 2 of 1914.* — In section 3 of the Destructive Insects and Pests Act, 1914 (hereinafter referred to as the principal Act), after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) The Central Government may, by notification under this section, also levy and collect such fees at such rates and in such manner as may be specified therein for making an application for a permit to import, or for making inspection, fumigation, disinfection, disinfestation or supervision of, any article or class of articles or any insect or class of insects under this section.”

3. *Validation.* — (1) Notwithstanding any judgment, decree or order of any court, tribunal or other authority.—

(i) the notification No. S. O. 867(E), dated the 27th October, 1989 issued under sub-section (1) of section 3 of the principal Act, and

(ii) any fees levied or collected or purported to have been levied or collected for making an application for a permit to import, or for making inspection, fumigation, disinfection, disinfestation or supervision of, any article or class of articles or any insect or class of insects under the principal Act or the said notification,

shall for all purposes, be deemed to be and to have always been validly issued or, as the case may be, levied or collected in accordance with the provisions of section 3 of the principal Act as amended by this Act, and accordingly—

(a) no suit or other proceeding shall be maintained or continued in any court for the refund of any fees so collected;

(b) no court or other authority shall enforce any decree or order directing the refund of any fees so collected;

(c) any fees levied or purported to have been levied but not collected, may be recovered under the principal Act as amended by this Act; and

(d) anything done or any action taken or purported to have been done or taken under, or for the purposes of the principal Act shall be deemed to have been validly done or taken in accordance with law as if the provisions of section 3 of the principal Act, as amended by this Act, had been in force at all material times.

(2) For the removal of doubts, it is hereby declared that nothing in sub-section (1) shall be construed as preventing any person —

(a) from questioning in accordance with the provisions of the principal Act, as amended by this Act, or the notification issued under section 3 of the principal Act, the levy or collection of such fees; or

(b) from claiming refund of any fees paid by him in excess of the amount due from him under the principal Act, as amended by this Act, or the said notification.

4. *Repeal and saving.* — (1) The Destructive Insects and Pests (Amendment and Validation) Ordinance, 1992 is hereby repealed. Ord. 4 of 1992.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Notification

10-2-92/LA

The Delhi Municipal Corporation (Amendment) Ordinance, 1993 (No. 21 of 1993) which has been promulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 30-1-1993 is hereby published for the general information of the public.

P. V. Kadnekar, Under Secretary (Drafting).

Panaji, 9th March, 1993.

MINISTRY OF LAW, JUSTICE AND
COMPANY AFFAIRS

(Legislative Department)

*New Delhi, the 30th January, 1993/
Magha 10, 1914 (Saka)*The Delhi Municipal Corporation (Amendment) Ordinance, 1993
No. 21 of 1993Promulgated by the President in the Forty-fourth
Year of the Republic of India.*An Ordinance further to amend the Delhi Municipal
Corporation Act, 1957.*

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Delhi Municipal Corporation (Amendment) Ordinance, 1993.

(2) It shall come into force at once.

2. *Omission of sections 178 to 183.*—In the Delhi Municipal Corporation Act, 1957 (hereinafter referred to as the principal Act) the heading "Terminal Taxes on Goods" before section 178 and sections 178 to 183 (both inclusive) shall be 66 of 1957. omitted.

3. *Omission of sections 463 and 464.*—Sections 463 and 464 of the principal Act shall be omitted.

4. *Omission of Tenth Schedule.*—Tenth Schedule to the principal Act shall be omitted.

SHANKER DAYAL SHARMA,
President.K. L. MOHANPURIA,
Secy. to the Govt. of India.

Government Press

Notice

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